

## **RULE SUMMARY**

Rule Number Env-A 502.01(a), 505.01 intro., (g) – (cd) Program ARD/SSMB

Short Title of Rule Federal Standards Update for Air Pollution Control

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1) Summary of the rule or amendment:

The existing rule incorporates by reference federal new source performance standards (NSPS) and national emission standards for hazardous air pollutants (NESHAP), which DES is authorized to implement and enforce through a delegation agreement with the U.S. Environmental Protection Agency (EPA). Each year, DES incorporates the new standards and amendments of existing standards that EPA promulgated in the last year. From July 1, 2002 to July 1, 2003, EPA promulgated 20 new NESHAP, as codified at 40 CFR 63. The proposed amendments incorporate by reference these 20 new standards and change the edition of the Code of Federal Regulations referenced in the rule from July 1, 2002, to July 1, 2003.

2) Describe any significant changes to requirements in the existing rules:

The amendment to Env-A 502.01(a) changes the edition of the Code of Federal Regulations referenced in the rule from July 1, 2002, to July 1, 2003. This change allows DES to incorporate by reference any amendments made to the previously incorporated federal standards in the last year.

3) Describe any significant new requirements:

The amendments incorporate by reference 20 new federal standards, 14 of which may be applicable to New Hampshire facilities. However, the standards are applicable to these facilities through the federal NESHAP program even if the Department does not incorporate them by reference into Env-A 500.

4) Describe any significant benefits of the proposed rule/amendment:

The amendment brings our rule up to date with current federal requirements so that the Department can maintain its delegation of authority from EPA to implement and enforce these standards.